

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security 0 Assumption of Executory Contract or Unexpired Lease 0 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
HERMINIO RIOS
ANGELICA RIOS

Case No.: 18-14229
Judge: VFP

Debtor(s)

Chapter 13 Plan and Motions

Original Modified/Notice Required Date: 8/19/2018
 Motions Included Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

DOES DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: AE

Initial Debtor: HR

Initial Co-Debtor: AR

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 600.00 per Month to the Chapter 13 Trustee, starting on
3/1/2018 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

Future earnings

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

Sale of real property

Description:

Proposed date for completion: _____

Refinance of real property:

Description:

Proposed date for completion: _____

Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$
DOMESTIC SUPPORT OBLIGATION		
Internal Revenue Service	Gov't Tax Claim	\$0.00
State of New Jersey	Gov't Tax Claim	\$4,564.38

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

None

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan NONE

The following secured claims are unaffected by the Plan:

Toyota Motor Credit Corporation

g. Secured Claims to be Paid in Full Through the Plan: NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

Not less than \$ _____ to be distributed *pro rata*
 Not less than _____ percent
 Pro Rata distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

Upon confirmation
 Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Gov't Tax Claim
- 3) General Unsecured Creditors
- 4) _____

d. Post-Petition Claims

The Standing Trustee is, is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: 8/19/2018.

Explain below **why** the plan is being modified:

To provide treatment as to the Secured Creditor Toyota
Motor Credit Corporation

Explain below **how** the plan is being modified:

By adding the Secured as Secured Claim as unaffected by
the Plan

Are Schedules I and J being filed simultaneously with this Modified Plan? Yes No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

NONE

Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: 8/19/2018

Antonio R Espinosa
Attorney for the Debtor

Date: 8/19/2018

/s/ Herminio Rios
Debtor

Date: 8/19/2018

/s/ Angelica Rios
Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: 8/19/2018

/s/ Antonio R Espinosa
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 8/19/2018

/s/ Herminio Rios
Debtor

Date: 8/19/2018

/s/ Angelica Rios
Joint Debtor

Certificate of Notice Page 11 of 12
United States Bankruptcy Court
District of New JerseyIn re:
Herminio Rios
Angelica Rios
DebtorsCase No. 18-14229-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 48

Date Rcvd: Aug 21, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 23, 2018.

db/jdb +Herminio Rios, Angelica Rios, 315 West Grand Street, Apt. LL, Elizabeth, NJ 07202-1269
 517367477 +ADT Security Services, 1 Town Center Rd., Boca Raton, FL 33486-1039
 517367478 +Amex, P.O. Box 297871, Fort Lauderdale, FL 33329-7871
 517367480 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bk Of Amer, P.O. Box 982238, El Paso, TX 79998)
 517419211 Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 517367485 +Chase Card, P.O. Box 15298, Wilmington, DE 19850-5298
 517367486 +Citi, P.O. Box 6241, Sioux Falls, SD 57117-6241
 517434331 +Department Stores National Bank, Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 517367487 +Discover Bank, c/o Pressler & Pressler, LLP, 7 Entin Road, Parsippany, NJ 07054-5020
 517367488 +Discover Card Svcs, c/o Pressler & Pressler LLP, 7 Entin Road, Parsippany, NJ 07054-5020
 517367491 +Dsnb Macys, P.O. Box 8218, Mason, OH 45040-8218
 517367492 +Exxmblciti, P.O. Box 6497, Sioux Falls, SD 57117-6497
 517367497 Mazda Capital Services, c/o Chase, P.O. Box 78069, Phoenix, AZ 85062-8069
 517367499 +Midland Funding, LLP-Synchrony Bank, c/o Pressler & Pressler LLP, 7 Entin Road, Parsippany, NJ 07054-5020
 517367500 +Office of New Jersey Attorney General, P.O. Box 080, Trenton, NJ 08625-0080
 517518075 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTON NJ 08646-0245
 (address filed with court: State of New Jersey, Department of Treasury, Division of Taxation, PO Box 245, Trenton, NJ 08695-0245)
 517367501 +Sears/Cbna, P.O. Box 6282, Sioux Falls, SD 57117-6282
 517367502 +State of New Jersey, Division of Taxation, P.O. Box 046, Trenton, NJ 08601-0046
 517367504 +Synchrony Bank, c/o Midland Funding, LLP, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
 517430763 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 517367507 +U.S. Attorney General, 950 Pennsylvania Avenue N.E., Washington, DC 20530-0001

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 21 2018 23:34:35 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Aug 21 2018 23:34:31 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 517380974 E-mail/Text: ebnbankruptcy@ahm.honda.com Aug 21 2018 23:34:41 American Honda Finance Corporation, National Bankruptcy Center, P.O. Box 168088, Irving, TX 75016-8088
 517367481 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 21 2018 23:40:53 Capital One, 15000 Capital One Dr, Richmond, VA 23238
 517467810 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Aug 21 2018 23:41:21 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 517367484 +E-mail/Text: bankruptcy@cavps.com Aug 21 2018 23:34:52 Cavalry Portfolio Serv, P.O. Box 27288, Tempe, AZ 85285-7288
 517395366 +E-mail/Text: bankruptcy@cavps.com Aug 21 2018 23:34:52 Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
 517379401 E-mail/Text: mrdiscren@discover.com Aug 21 2018 23:33:32 Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 517367489 +E-mail/Text: mrdiscren@discover.com Aug 21 2018 23:33:32 Discover Fin Svcs Llc, P.O. Box 15316, Wilmington, DE 19850-5316
 517367494 +E-mail/Text: cio.bnccmail@irs.gov Aug 21 2018 23:33:50 Internal Revenue Service, Attn: Bankruptcy Department, P.O. Box 7346, Philadelphia, PA 19101-7346
 517493710 +E-mail/Text: bk.notifications@jpmchase.com Aug 21 2018 23:34:20 JPMorgan Chase Bank, N.A., PO Box 29505 AZ1-1191, Phoenix, AZ 85038-9505
 517367495 +E-mail/Text: bnckohlsnotices@becket-lee.com Aug 21 2018 23:33:38 Kohls/Capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
 517519301 E-mail/PDF: resurgentbknotifications@resurgent.com Aug 21 2018 23:41:57 LVNV Funding, LLC its successors and assigns as, assignee of LendingClub Corporation, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 517519421 E-mail/PDF: resurgentbknotifications@resurgent.com Aug 21 2018 23:41:31 LVNV Funding, LLC its successors and assigns as, assignee of Santander Consumer USA, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 517367496 +E-mail/Text: bk@lendingclub.com Aug 21 2018 23:35:00 Lending Club Corp, 71 Stevenson St, San Francisco, CA 94105-2985
 517367498 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 21 2018 23:34:31 Midland Funding, c/o Synchrony Bank-Amazon, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
 517400930 +E-mail/Text: bankruptcydpt@mcmcg.com Aug 21 2018 23:34:31 Midland Funding LLC, PO Box 2011, Warren, MI 48090-2011
 517437012 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfolio recovery.com Aug 21 2018 23:41:56 Portfolio Recovery Associates, LLC, c/o Best Buy, POB 41067, Norfolk VA 23541
 517511989 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfolio recovery.com Aug 21 2018 23:41:56 Portfolio Recovery Associates, LLC, c/o DRESS BARN, POB 41067, Norfolk VA 23541

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 48

Date Rcvd: Aug 21, 2018

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)

517521060 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 21 2018 23:41:28
Portfolio Recovery Associates, LLC, c/o Exxonmobil, POB 41067, Norfolk VA 23541
517466123 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Aug 22 2018 00:03:22
Portfolio Recovery Associates, LLC, c/o Sears Card, POB 41067, Norfolk VA 23541
517467692 E-mail/Text: bnc-quantum@quantum3group.com Aug 21 2018 23:34:24
Quantum3 Group LLC as agent for, Credit Corp Solutions Inc, PO Box 788, Kirkland, WA 98083-0788
517490551 E-mail/Text: bnc-quantum@quantum3group.com Aug 21 2018 23:34:24
Quantum3 Group LLC as agent for, Velocity Investments LLC, PO Box 788, Kirkland, WA 98083-0788
517467691 E-mail/Text: bnc-quantum@quantum3group.com Aug 21 2018 23:34:24
Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
517367503 +E-mail/PDF: gecsedri@recoverycorp.com Aug 21 2018 23:41:45 Syncb/JCP, P.O. Box 965007, Orlando, FL 32896-5007
517483557 +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Aug 21 2018 23:41:59 Verizon, by American InfoSource LP as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
517367508 +E-mail/Text: bnc-bluestem@quantum3group.com Aug 21 2018 23:35:07 Webbank/Fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820

TOTAL: 27

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517367493* ++AMERICAN HONDA FINANCE, P O BOX 168088, IRVING TX 75016-8088
(address filed with court: Honda Financial Services, P.O. Box 65507, Wilmington, DE 19808-0507)
517367479* +Amex, P.O. Box 297871, Fort Lauderdale, FL 33329-7871
517367482* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
517367483* ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
(address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)
517367490* +Discover Fin Svcs Llc, P.O. Box 15316, Wilmington, DE 19850-5316
517367505* +Synchrony Bank, c/o Midland Funding, LLP, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709
517367506* +Synchrony Bank, c/o Midland Funding, LLP, 2365 Northside Dr Ste 30, San Diego, CA 92108-2709

TOTALS: 0, * 7, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 23, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 19, 2018 at the address(es) listed below:

Antonio R. Espinosa on behalf of Joint Debtor Angelica Rios Andespbk@gmail.com
Antonio R. Espinosa on behalf of Debtor Herminio Rios Andespbk@gmail.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corp. dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corp. kmcdonald@blankrome.com, bkgroup@kmllawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6